

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

STRIKE 3 HOLDINGS, LLC,

Plaintiff,

v.

JOHN DOE (73.225.38.130),

Defendant.

C17-1731 TSZ

MINUTE ORDER

The following Minute Order is made by direction of the Court, the Honorable Thomas S. Zilly, United States District Judge:

(1) Having reviewed the parties' Joint Status Report, docket no. 61, the Court SETS the following dates and deadlines:

JURY/BENCH TRIAL DATE (2-3 days)	September 30, 2019
Disclosure of expert testimony	March 15, 2019
Discovery motions filing deadline	April 18, 2019
Discovery completion deadline	May 20, 2019
Mediation / Settlement Conference ¹ deadline	June 14, 2019

¹ The Court ordinarily requires parties to engage in private mediation before requesting a judicial settlement conference, but the Court will consider waiving the private mediation prerequisite in this matter if both parties agree that a judicial settlement conference is likely to be fruitful with regard to all remaining matters, including attorney's fees and costs. Counsel may request that a judicial settlement conference be scheduled by jointly contacting chambers at (206) 370-8830.

Dispositive motions filing deadline ²	June 20, 2019
Deadline for filing motions related to expert testimony (<i>e.g.</i> , Daubert motions)	June 27, 2019
Motions in limine filing deadline	August 22, 2019
Agreed pretrial order due	September 13, 2019
Trial briefs due	September 13, 2019
Proposed voir dire questions and jury instructions OR proposed findings of fact and conclusions of law due	September 13, 2019
Pretrial conference	September 20, 2019 at 11:00 a.m.

These dates are set at the direction of the Court. All other dates are specified in the Federal Rules of Civil Procedure or the Local Civil Rules. If any of the dates identified in this Order, the Federal Rules of Civil Procedure, or the Local Civil Rules fall on a weekend or federal holiday, the act or event shall be performed on the next business day. These are firm dates that can be changed only by order of the Court, not by agreement of counsel or parties. The Court will alter these dates only upon good cause shown: failure to complete discovery within the time allowed is not recognized as good cause.

As required by LCR 37(a), all discovery matters are to be resolved by agreement if possible. Counsel are further directed to cooperate in preparing the final pretrial order in the format required by LCR 16.1.

Notwithstanding LCR 16.1, the exhibit list shall be prepared in tabular format with the following columns: "Exhibit Number," "Description," "Admissibility Stipulated," "Authenticity Stipulated/Admissibility Disputed," "Authenticity Disputed," and "Admitted." The latter column is for the Clerk's convenience and shall remain blank, but the parties shall indicate the status of an exhibit's authenticity and admissibility by placing an "X" in the appropriate column. Duplicate documents shall not be listed twice: once a party has identified an exhibit in the pretrial order, any party may use it.

In this case, because only defendant's counterclaims remain pending for trial, defendant ("John Doe") will present his case first, and then plaintiff Strike 3 Holdings, LLC ("Strike 3") will present its defense. John Doe's exhibits shall be numbered

² In connection with dispositive motion practice, the parties shall brief whether either side has a right to jury trial as to the remaining counterclaims.

1 consecutively beginning with 1; Strike 3's exhibits shall be numbered consecutively
2 beginning with the next multiple of 100 after John Doe's last exhibit. For example, if
3 John Doe's last exhibit is numbered 159, then Strike 3's exhibits shall begin with the
4 number 200.

5 The original and one copy of the trial exhibits are to be delivered to the courtroom
6 the morning of the trial. Each set of exhibits shall be submitted in a three-ring binder
7 with appropriately numbered tabs. Each exhibit shall be clearly marked.

8 Counsel must be prepared to begin trial on the date scheduled, but it should be
9 understood that the trial might have to await the completion of other cases. Should this
10 case settle, counsel shall notify Karen Dews at (206) 370-8830 as soon as possible.

11 (2) The Clerk is directed to send a copy of this Minute Order to all counsel of
12 record.

13 Dated this 20th day of December, 2018.

14 William M. McCool
15 Clerk

16 s/Karen Dews
17 Deputy Clerk